

COMHAIRLE CONTAE CHILL DARA

KILDARE COUNTY COUNCIL

Record of Executive Business and Chief Executive's Orders

**Planning and Development Act 2000 (as amended) – Part XAB
Planning and Development Regulations 2001 (as amended) – Part 8**

Residential Development at Ardrew Athy

Appropriate Assessment (AA) Screening Determination

Pursuant to the requirements of the above, Kildare County Council is proposing to construct a residential development on a greenfield site of c. 2.43 ha at Fortbarrington Road, Ardrew, Athy, Co. Kildare.

The proposed development comprises the construction of 73 social housing units to include:

54 no. houses (50 no. 2-storey and 4 no. bungalows, comprised of 4 no. 1-bed, 24 no. 2-bed, 20 no. 3-bed and 6 no. 4-bed) and 18 no. triplex apartments (3 storey comprised of 18 no. 1-bed) and 1 no 2-bed duplex apartment.

The proposal includes an estate community unit (104.2 sqm), a new access off Fortbarrington Road, on-street car parking (142 spaces), public and private open space, boundary treatments, new pedestrian and cycle connection to south, public lighting, site drainage works, internal road networks and footpath, ESB switchrooms/kiosks, landscaping, play area and all ancillary site services and development works above and below ground

A detailed description of the proposed development has been provided in the Section 2 of the Appropriate Assessment Screening Report prepared by NM Ecology Ltd. and with drawings provided with the Part 8 application.

Having regard to Article 6(3) of the Habitats Directive and Part XAB of the Planning and Development Act 2000 (as amended), the guidance contained in the document entitled "*Appropriate Assessment of Plans and Projects in Ireland Guidance for Planning Authorities*" (published by the Department of Environment, Heritage and Local Government in 2009) and following an examination of the objective information provided in the Appropriate Assessment "*Screening for Appropriate Assessment Proposed residential development at Ardrew, Athy, Co. Kildare*" (the Screening Report) prepared by NM Ecology Ltd. – Consultant Ecologists, Kildare County Council, as the Competent Authority, determines that the proposed Residential Development at Ardrew, Athy, individually or in combination with other plans and projects, does not have the potential to give rise to likely significant effects on European sites, their conservation objectives or integrity, and therefore does not require an Appropriate Assessment.

Key points in the determination

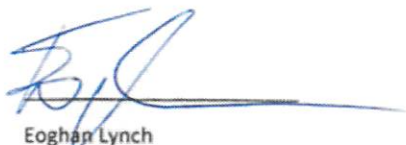
- Two Natura Sites – River Barrow and River Nore SAC (0.5km east) and Ballyprior Grasslands (9.7km west) – occur within the likely zone of impact (15km) of the proposed development.
- There is no direct hydrological links to Ballyprior Grasslands and its distance from the site mean that there is no potential for impacts or cumulative impacts on this European site.
- The *River Barrow and River Nore* Special Area of Conservation (SAC) is located approx. 500 m east of the Site. It is a very-large SAC that has been designated to protect a range of riparian and aquatic biodiversity. There are no rivers, streams or drainage ditches linking the Site with the River Barrow or the Bennetsbridge Stream, so a pathway via surface water can be

ruled out. Groundwater could theoretically provide a pathway due to the permeability of underlying soils and bedrock, but any pollutants generated at the Site would be filtered by at least 500 m of intervening soils prior to reaching the river, which would reduce their concentrations to negligible levels. Therefore, groundwater is not considered to be a feasible pathway. Pathways via land or air can also be ruled out due to distance.

- The Site is not located within or adjacent to any Natura 2000 sites, so there is no risk of habitat loss, fragmentation or any other direct impacts.
- The development has been assessed for potential indirect impacts, in particular on water quality, during construction and operational phases and it has been concluded that foul water and surface water during the operation of the development would not cause any significant impacts on water quality in any Natura 2000 sites.

There is no potential for cumulative impacts on the – River Barrow and River Nore SAC, Ballyprior Grasslands or any other European Site.

Therefore a Stage 2: Appropriate Assessment will not be required to inform the project appraisal either alone or in combination with other plans or projects, with respect to any Natura 2000 sites and their Conservation Objectives.



Eoghan Lynch

Senior Executive Planner

16th November 2021

ORDER: That Kildare County Council as the Competent Authority, having considered the AA Screening Report prepared by NM Ecology Ltd., makes a determination that a Stage 2: Appropriate Assessment will not be required to inform the Proposed Residential Development consisting of 73 residential dwelling units, a community unit and all associated site works at Ardrew, Athy, either alone or in combination with other plans or projects, with respect to any Natura 2000 sites and their Conservation Objectives.

Date: 18-11-21


Chief Executive